



February 1, 2013

John Faust
Office of Environmental Health Hazard Assessment
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Oakland, CA 94612
Via E-mail: john.faust@oehha.ca.gov.

Re: California Communities Environmental Health Screening Tool Second Public Review Draft

Dear Dr. Faust:

We appreciate this opportunity to submit comments on behalf of the Natural Resources Defense Council (NRDC), a non-profit organization with over 1.3 million members and activists, 250,000 of whom are Californians. The unequal distribution of environmental contamination, and the resulting concentration of these impacts in overburdened communities, jeopardizes the health of California communities. The California Environmental Protection Agency (CalEPA)'s efforts to develop a scientifically rigorous method for identifying those communities disproportionately threatened by environmental contaminants is an important first step towards improving the health of California residents.

We commend the Office of Environmental Health Hazard Assessment (OEHHA) and CalEPA for their efforts to solicit and incorporate the input gathered from the community forums and the academic expert panel. The second public review draft is a stronger tool that enables a more rigorous evaluation of threats faced by California communities. We urge OEHHA to finalize the first version of the tool in a timely manner and commit to a timeline for assessing and remedying the remaining data gaps.

Timeline for Planned Improvements

OEHHA has committed to enhancing the tool by adding a drinking water indicator and changing the scale from the zip code to the Census Tract. These are important additions which will strengthen the tool. In conjunction with the release of the first version of the tool, OEHHA should put forward a schedule which describes the timing and process for incorporation of these essential additions.

Additional Improvements

In addition to the planned enhancements, subsequent versions should include the following:

- A Regional Ranking Component

The statewide ranking described in the current draft is a great first step. However, relying solely on a statewide analysis magnifies the impacts of data gaps, particularly for rural communities, and also limits the usefulness of the tool. For example, the lack of a comprehensive water quality indicator, which captures the ground water contamination and drinking water threats faced by rural communities in the Central Valley, in the current tool systematically under-weights these communities in the statewide analysis. In addition, many of the environmental impacts captured in this tool are controlled by regional entities and a statewide comparison does not provide the level of detail needed to facilitate proactive measures to reduce these threats.

- Improved Accounting for Children's Vulnerability

In keeping with the mandate to protect children's health from environmental contaminants provided in SB25 – The Children's Environmental Health Protection Act, OEHHA should re-assess the age vulnerability indicator in the current version. Due to the fact that elderly populations are more likely to live in age-segregated housing than younger populations, the upper end of the distribution in the combined age metric is more likely to capture retirement communities and not reflect those communities where there are large numbers of vulnerable children. OEHHA should take a deeper look at the age distributions within the communities with high rankings in the current indicator and assess whether modifications are needed to ensure that communities with high numbers of children are adequately represented. To account for any bias in this metric due to age-segregated housing, OEHHA may want to consider using a weighting system or include other population characteristics (i.e. number of children per household) to enhance the tool's ability to capture children's vulnerability in overburdened communities.

- Enhanced Assessment for Threats Not Currently Captured in State Databases

Communities living near state, federal or tribal borders may be impacted by facilities and threats not currently captured in the databases used in the tool. OEHHA should ensure that all available data sources are queried to fill in these gaps and communities living in these areas are consulted about potential additional impacts not currently reflected in the tool. For those areas where data is not currently available, OEHHA should be sure to indicate that lack of data does not necessarily reflect a lesser environmental threat.

- Better Evaluation of Water Quality Issues

Although the Impaired Water Bodies and Groundwater Threats indicators are important inclusions to the EnviroScreen tool, neither of them capture the full spectrum of water quality threats faced by many California communities - particularly rural communities in the San Joaquin Valley. Non-point pollution has caused widespread contamination in these communities which threaten drinking water resources and public health. The current version of the tool

does not capture this impact and as a result underestimates the cumulative impacts experienced by these communities. It is essential that this gap be adequately addressed in subsequent versions of the tool. In the meantime, decisions made about resource allocation or policy development based on the current tool must take into account the systematic under-counting of these communities.

Ensure the Availability of the Tool to Inform Local and State Policy

The CalEnviroScreen tool is a groundbreaking achievement in applying the most up-to-date science describing the interaction of environmental exposures and population vulnerability to available data sources to create an accessible method for identifying overburdened communities. It is essential that the information provided by this tool be acted upon to create safer and healthier communities across California. For this reason, it is inappropriate, at this time, to include restrictions on the use of the tool. We urge CalEPA to refrain from including language in the Guidance Document in which CalEPA judges the suitability of the tool in certain policy contexts, such as CEQA, particularly in the absence of a dedicated public process to evaluate the merits of such uses.

California has led the nation with policies to reduce pollution but those advances have not been felt uniformly throughout the state and low income and communities of color bear the brunt of environmental contamination. California has the opportunity to reverse this trend and make meaningful progress in creating healthier and safer communities. We strongly encourage OEHHA to finalize the first version of the CalEnviroScreen and to work with CalEPA, regional, and local agencies to evaluate the regulatory and policy changes needed to make meaningful reductions in the environmental burden borne by communities across California.

Thank you for your consideration of our comments and recommendations. We appreciate the hard work of staff to develop the CalEnviroScreen and look forward to working together to ensure a safe environment for all Californians.

Sincerely,



Miriam Rotkin-Ellman, MPH
Staff Scientist